

MAR 30 2004

Michael N. Milby, Clerk of Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In Re Enron Corporation	§	
Securities, Derivative &	§	MDL-1446
"ERISA Litigation	§	
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MARK NEWBY, ET AL.,	§	
	§	
Plaintiffs	§	
	§	
VS.	§	CIVIL ACTION NO. H-01-3624
	§	CONSOLIDATED CASES
ENRON CORPORATION, ET AL.,	§	
	§	
Defendants	§	
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THE REGENTS OF THE UNIVERSITY	§	
OF CALIFORNIA, et al.,	§	
Individually and On Behalf of	§	
All Others Similarly Situated,	§	
	§	
	§	
Plaintiffs,	§	
VS.	§	
	§	
KENNETH L. LAY, et al.,	§	
	§	
Defendants.	§	

ORDER

Pending before the Court in the above referenced cause is Defendant Joseph M. Hirko's motion to postpone discovery and stay answer during pendency of criminal proceedings (instrument #2033). Lead Plaintiff's response recognizes that the Court has granted similar motions for Defendants Fastow, Rice, and Hannon and raises no objections, but "reserves the right to move the Court to lift the stay on discovery and answer and to call defendant Hirko as a witness at the trial of this action."

The Court

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ORDERS that Mr. Hirko's motion is GRANTED, with the condition that Lead Plaintiff may file a motion to lift the stay at what it deems the appropriate time.

**SIGNED** at Houston, Texas, this 29<sup>th</sup> day of March, 2004.

  
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MELINDA HARMON  
UNITED STATES DISTRICT JUDGE